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Congressional Report Documents Unethical Chemical Industry Pesticide Tests on Human Beings; NRDC Calls for Federal Moratorium

WASHINGTON (June 16, 2004) – The eye-popping conclusion of a congressional report on industry experiments that dose human beings with pesticides should prompt Capitol Hill to place a moratorium on the practice, says NRDC (Natural Resources Defense Council). The report, released today by Rep. Henry Waxman (D-Calif.) and Sen. Barbara Boxer (D-Calif.), found that these chemical industry experiments are unethical, unscientific, and violate international norms.

“This report reveals the shocking truth about immoral chemical industry experiments that test the effects of toxic pesticides on human beings,” said NRDC Senior Attorney Erik D. Olson. “Just last year a chemical company exposed American college students to a pesticide that had been used as a chemical weapon during World War I without fully informing them about the potential risks. We thought these kinds of tests were banned internationally 60 years ago after the Nuremberg trials.”

NRDC maintains that no toxicity tests intentionally dosing humans with pesticides are ethical or scientifically legitimate. At a minimum, NRDC believes that Congress and the Environmental Protection Agency should impose a moratorium on the tests and refuse to consider their results when regulating pesticides. That moratorium ideally should remain in effect permanently, says NRDC. In any case, the organization maintains that there is no excuse to allow intentional dosing of humans with pesticides until EPA adopts binding rules that regulate all human tests and include all of the protections recommended or required by the National Academy of Sciences, the EPA Scientific Advisory Panel and Science Advisory Board, the international Helsinki Declaration, the Nuremberg Code, and applicable U.S. laws and regulations.

Over the last several years, the EPA has repeatedly failed to issue binding rules banning or strictly regulating human tests. In September 2000, for example, a joint committee of EPA’s Science Advisory Board and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel strongly urged the agency to issue “rigorous to severe” rules for human testing. Some of the committee members did not believe that would suffice, arguing that all human testing of pesticides is unethical.

A year later, in December 2001, then-EPA Administrator Christine Todd Whitman announced that the agency would not consider the results of human tests of pesticides until the National Academy of Sciences (NAS) reviewed the issue. Pesticide-makers sued, and in June 2003 a court struck the agency’s action down on procedural grounds, holding that for policy to be binding, the agency must go through a rulemaking to adopt it.

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An NAS panel completed the report in February 2004. Although the panel included scientists with close ties to the chemical industry, it recommended that EPA institute sweeping changes for reviewing and overseeing chemical experiments on humans and establish an independent scientific and ethical review panel. More than a year later, however, EPA has not adopted any of the panel's recommendations. Nor has the agency ever adopted regulations for industry-sponsored human tests reflecting international norms for human studies such as the Nuremberg Code, which was written by American judges during the Nazi doctor trials at Nuremberg after World War II, or the Helsinki Declaration, which was written by the World Medical Association.

Fed up with the EPA's foot-dragging, the House of Representatives last month adopted an EPA appropriations bill amendment sponsored by Reps. Hilda Solis (D-Calif.) and Tim Bishop (D-N.Y.) establishing a moratorium on EPA considering the results of tests that intentionally dose humans with pesticides. The Senate has yet to act on the measure.

"It's time for Congress to order the EPA to put a halt to these disgraceful human pesticide experiments," Olson said. "It's outrageous that this kind of human experimentation is being tolerated or even encouraged by the U.S. government."

The Natural Resources Defense Council is a national, nonprofit organization of scientists, lawyers and environmental specialists dedicated to protecting public health and the environment. Founded in 1970, NRDC has more than 1 million members and e-activists nationwide, served from offices in New York, Washington, Los Angeles and San Francisco. For more information, go to www.nrdc.org.

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